

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

|                                   |   |                           |
|-----------------------------------|---|---------------------------|
| OSCAR L. JOHNNY, JR.              | ) |                           |
| Plaintiff,                        | ) |                           |
|                                   | ) |                           |
| v.                                | ) | Case No. 10-04008 -CV-FJG |
|                                   | ) |                           |
| LARRY BORNOWSKI, <i>et. al.</i> , | ) |                           |
| Defendants.                       | ) |                           |

**ORDER**

Currently pending before the Court is the parties' trial briefing on deposition questions relating to Plaintiff Oscar Johnny's criminal conduct and immigration status and general deposition questions (Doc. No. 220, 221, 225, & 226). After careful consideration of the parties' submissions, the Court hereby ORDERS:

(1) **Only** the following information shall be admissible relating to Plaintiff's criminal conduct and immigration status:

- (a) Plaintiff was arrested on March 11, 2010 and charged with the felony offense of "Possession of Cannabis with Intent to Sale or Deliver" marijuana in Broward County, Florida.
- (b) Plaintiff entered a plea of no contest on October 1, 2010 and was given an 18 month probation period.
- (c) Plaintiff was arrested and taken into custody by U.S. Immigration and Customs Enforcement (ICE) on May 15, 2011 and was incarcerated until his deportation.

(d) Plaintiff was deported from the U.S. and sent back to his native country of St. Vincent (located in the lower Caribbean islands) on November 3, 2011.

(e) Plaintiff has resided in St. Vincent since his deportation and, to date, is not permitted back into the U.S.

(2) The above shall also be admissible for purposes of a determination of damages.

(3) All other details surrounding Plaintiff Oscar Johnny's criminality and immigration status is inadmissible.

**IT IS SO ORDERED.**

Date: June 18, 2013  
Kansas City, Missouri

**S/ FERNANDO J. GAITAN, JR.**  
Fernando J. Gaitan, Jr.  
Chief United States District Judge